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Attorneys for Defendant: Otto Trucking LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING
LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANT OTTO TRUCKING LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

Courtroom: 8, 19th Floor
Judge: Hon. William H. Alsup

Filed/Lodged Concurrently with:

1. Declaration ISO Admin. Mot. to File Documents Under Seal
2. [Proposed] Order
3. Redacted/Unredacted Versions
4. Proof of Service

Pursuant to Civil Local Rules 7-11 and 79-5, Defendant Otto Trucking LLC (“Otto Trucking”) submits this administrative motion for an order to file under seal portions of its Response to Waymo’s Supplemental Opposition to Otto Trucking’s Motion for Separate Trial [Dkt. 2056] and exhibits thereto (the “Administrative Motion”). Specifically, Otto Trucking requests an order granting leave to file under seal the confidential portions of the following documents:

Document	Portions to Be Filed Under Seal	Parties Claiming Confidentiality
Otto Trucking’s Response	Highlighted portions	Otto Trucking
Exhibit 1 to the Brun Declaration	Highlighted Portions	Plaintiff (green) Defendants (blue)
Exhibit 2 to the Brun Declaration	Highlighted Portions	Plaintiff (green) Defendants (blue)
Exhibit 3 to the Brun Declaration	Entire Document	Defendants
Exhibit 4 to the Brun Declaration	Highlighted Portions	Plaintiff (green) Defendants (blue)
Exhibit 5 to the Brun Declaration	Entire Document	Defendants Plaintiff
Exhibit 6 to the Brun Declaration	Highlighted portions	Plaintiff (green) Defendants (blue)

The highlighted portions of Otto Trucking’s Response and Exhibits 4 and 6 as well as the entirety of Exhibit 5 include highly confidential, sensitive business information relating to negotiations of the terms of Otto Trucking’s agreements, its corporate structure, and sensitive financial and business information. This information is not publicly known, and its confidentiality is strictly maintained. I understand that this information could be used by competitors to Otto Trucking’s detriment, including in the context of negotiating business deals. If such information

1 were made public, I understand Otto Trucking's competitive standing could be significantly
2 harmed.

3 Exhibits 1, 2, 4, 6, as well as the entirety of Exhibits 3 and 5 contain information that
4 Plaintiff Waymo LLC ("Waymo") and Defendants Uber Technologies, Inc., Ottomotto LLC
5 (collectively, "Uber"), and Otto Trucking have designated "Confidential" or "Highly Confidential
6 – Attorneys' Eyes Only" pursuant to the Protective Order in this case. Otto Trucking states no
7 position about whether the confidentiality designations are appropriate. Otto Trucking anticipates
8 that Waymo and Uber will file any necessary declarations to seal the above information pursuant
9 to Local Rule 79-5.

10 Otto Trucking's request to seal is narrowly tailored to those portions of the Administrative
11 Motion and its supporting documents that merit provisional sealing.

12 Dated: October 25, 2017

Respectfully submitted,

13 By: /s/ Shane Brun

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22 *Attorneys for Defendant: Otto Trucking LLC*

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document including all of its attachments with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on **October 25, 2017**. I further certify that all participants in the case are registered CM/ECF users and that service of the publicly filed documents will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed on **October 25, 2017**.

/s/ Shane Brun
SHANE BRUN